

U.S. DISTRICT COURT
FOR THE
MIDDLE DISTRICT OF ALABAMA

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RECEIV

ROBERT ANDREW WERMUTH
189991
PLAINTIFF

2005 OCT -5 A 12b

VS.

2:05-cv644-D

SHANNON CARROLL YOUNGBLOOD,
et., al.,
DEFENDANT

MOTION TO CORRECT CLERICAL MISTAKE

Comes now, ROBERT ANDREW WERMUTH, Plaintiff, Pro Se, pursuant to Rule 60(a), Federal Rules Civil Procedure, and moves this Court for leave to correct clerical mistake submitted into the record, and cause for such presents the following:

- 1) Document marked "AMENDMENT TO COMPLAINT" submitted on September 26, 2005, page (4) four Paragraph (6) six reads "As to facts alleged in ground one and ground two of the original complaint Defendant Youngblood is no longer implicated."
- 2) Clearly, this is a clerical mistake made while typing the amendment, paragraph (6), six should read " as to the facts alleged in ground one and ground two of the original complaint, R.D. Calhoun is no longer implicated."
- 3) As alleged in ground two in the original complaint and the amended complaint, Defendant Youngblood is still accused of "ASSAULT WITH A VEHICLE" in violation of Plaintiff's Eighth Amendment Right to the United States Constitution.

I hereby certify that I have served a copy of the foregoing document by causing it to be placed in the U.S. mail, postage prepaid and properly addressed on this 28 day of 2005 to the following:

KIMBERLY O. FEHL
CITY OF MONTGOMERY
LEAGAL DEPARTMENT
103 N. Perry st.
Montgomery, Al 36104

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U.S. DISTRICT COURT
P.O. BOX 711
MONTGOMERY, AL
36101-0711

Robert A. Wermuth

Plaintiff
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